HIGH COURT OF UTARANCHAL AT NAINITAL

A.O. No. 129 of 2001
(FAFO No. 407/1995)

1. Ram Pal Singh
   General Secretary, Uttar Pradeshiya Prathmik
   Shikshak Sang, Uttar Pradesh, Lucknow.
2. Prem Singh Gussain, S/o Sri Padam Singh Gussain,
   Regional Secretary and District Convener,
   Uttar Pradeshiya Shikshak Sang,
   At present Assistant Teacher, Uchtar Prathmik
   Vidyalaya Bavai, Tehsil Rudraprayag,
   District- Chamoli. ....Appellants

Vs

Smt. Usha Bhatt W/o Sri Maheshanand,
R/o Village Bhatwari, Tehsil, Rudraprayag,
At present posted as Head Master, Prathmik,
Vidyalaya Gopeshwar, District –Chamoli. .....Respondent

Dated: - 04-05-2006

Hon'ble B.S. Verma , J.

None appear for the parties.

This is an appeal filed against the order passed by the learned District Judge, Chamoli, dt.9-2-1995 in Original Suit No.44 of 1994 whereby the Ex-parte temporary injunction has been granted in favour of Smt. Usha Bhatt, the plaintiff/respondent.

The appeal was filed in Allahabad High Court and after the transfer fresh notices were issued to both the parties. The appellant No.2 and respondent served sufficiently. Summon of appellant no. 1 has not been received back. When the appeal was filed in Allahabad High Court no stay order had been granted by the Hon'ble Allahabad High Court.

The suit was filed in the year 1994. By efflux of time, the appeal has become infructuous and therefore the same is dismissed.

(B.S. Verma,J)

Dated:- 4-5-2006

M.K.